

BRIAN D. GEE (SB#181097)
Brian.Gee@nlrb.gov
STEVEN D. WYLLIE (SB#161752)
Steven.Wyllie@nlrb.gov
RUDY FONG SANDOVAL (SB#201924)
Rudy.FongSandoval@nlrb.gov

National Labor Relations Board, Region 31
11500 West Olympic Blvd., Suite 600
Los Angeles, CA 90064
Telephone: (310) 235-7351
Fax No. (310) 235-7420

Attorneys for Petitioner

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

NATIONAL LABOR)	
RELATIONS BOARD,)	
)	Misc. Case No. MC 15 - 212
)	
Petitioner,)	Declaration of Michael D.
)	Berkheimer in Support of
v.)	Statement of Costs and
)	Expenses
CAR CONSULTANTS, INC.)	
)	
Respondent.)	
)	

**DECLARATION OF MICHAEL D. BERKHEIMER IN SUPPORT
OF REQUEST FOR COSTS AND ATTORNEYS' FEES**

I, Michael D. Berkheimer, pursuant to 28 U.S.C. § 1746, declare
as follows:

1 1. I am employed as a trial attorney in the Contempt, Compliance
2 and Special Litigation Branch (“the CCSLB”) of the National Labor
3 Relations Board (“the Board”) in Washington, D.C. I have worked in
4 this position for approximately six and one-half years. My job duties
5 include assisting Regional Offices of the Board in matters of subpoena
6 enforcement.
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9 2. In my capacity as a trial attorney in the CCSLB, I was tasked
10 with assisting Region 31 of the Board in the legal research for and
11 drafting of a petition for adjudication in civil contempt and other civil
12 relief, a memorandum in support of petition for adjudication in civil
13 contempt and other civil relief and a proposed order in *National Labor*
14 *Relations Board v. Car Consultants, Inc.*, case number MC 15-00212 in
15 the United States District Court Central District of California. [Doc.
16 Nos. 11, 12 and 14].
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19 3. I did not maintain a contemporaneous record of the hours that I
20 performed in connection with the legal research for and drafting of the
21 petition for adjudication in civil contempt and other civil relief, the
22 memorandum in support of petition for adjudication in civil contempt
23 and other civil relief or the proposed order. However, based on my
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1 personal recollection, a review of all e-mails that I generated and
2 received in connection with the work and other documents, I have been
3 able to recreate my hours and work as follows:
4

5 (a) I spent 8 hours drafting the petition for adjudication in civil
6 contempt and other civil relief.
7

8 (b) I spent 10 hours in the legal research for and drafting of the
9 memorandum in support of petition for adjudication in civil contempt
10 and other civil relief.
11

12 (c) I spent 1 hour drafting the proposed order.
13

14 (d) The sum of the hours I spent working on the legal research for
15 and drafting of the petition for adjudication in civil contempt and other
16 civil relief, the memorandum in support of petition for adjudication in
17 civil contempt and other civil relief and the proposed order is 19 hours.
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19 4. Based upon the adjusted *Laffey* Matrix (Exhibit 2), the 2015-
20 2016 hourly rate for an attorney in the District of Columbia with 6.5
21 years of experience is \$332 per hour. Utilizing this figure, my
22 chargeable time (\$332 per hour x 19 hours) is \$6308.
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24 I declare under the penalty of perjury of the law of the United
25 States of America that the foregoing is true and correct.
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s/ Michael D. Berkheimer

National Labor Relations Board
Contempt, Compliance and Special Litigation Branch
1015 Half Street, S.E
Washington, D.C. 20005
Tel: (202) 273-3771
Fax: (202) 273-4244
michael.berkheimer@nrlrb.gov

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